

**Docket No:** 07-0434  
**Bench Date:** 10/24/07  
**Deadline:** N/A

**M E M O R A N D U M**

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**TO:** The Commission

**FROM:** Glennon P. Dolan, Administrative Law Judge

**DATE:** October 15, 2007

**SUBJECT:** R. H. Donnelley

Petition for Variance of Section 735.180 of the Illinois Administrative Code.

**RECOMMENDATION:** Enter Order Granting the Petition for Variance.

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On August 8, 2007, R.H. Donnelley filed a verified Petition with the Illinois Commerce Commission, requesting a variance from certain requirements of the Illinois Administrative Code, specifically Part 735. 83 Ill. Adm. Code Part 735. R.H. Donnelley also requested expedited treatment. Petitions to intervene were filed by the City of Chicago and the Attorney General of the State of Illinois. There were no other petitions to intervene filed. At the final status, all of the parties agreed that their concerns had been addressed and the agreement was reflected in the verified statement filed by Staff. Since there were no issues in dispute, the hearing was waived and a proposed agreed order was filed by the parties.

The Commission's rules on Directories, 735.180(a)(1) and (d), require the annual distribution of telephone directories on an exchange-wide basis. RHD seeks a variance from these rules. RHD proposes to continue to deliver to all City of Chicago residential customers a copy of their local Neighborhood directory, but to distribute the city-wide Chicago Residential White Pages only upon request.

Accordingly, I recommend that R.H. Donnelley be granted a variance of Section 735.180 of the Illinois Administrative Code.

GD;jt